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Security Council

Fifty-ninth year

Provisional

5061st meeting

Friday, 22 October 2004, 1.15 p.m.

New York

President:	Sir Emyr Jones Parry	(United Kingdom)
Members:	Algeria	Mr. Benmehidi
	Angola	Mr. Gaspar Martins
	Benin	Mr. Zinsou
	Brazil	Mr. Tarrisse da Fontoura
	Chile	Mr. Donoso
	China	Mr. Cheng Jingye
	France	Mr. Poirier
	Germany	Mr. Delfs
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Dumitru
	Russian Federation	Mr. Denisov
	Spain	Mr. Yáñez-Barnuevo
	United States of America	Mr. Olsen

Agenda

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2004/756)

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04-56683 (E)

The meeting was called to order at 1.15 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2004/756)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations operation in Cyprus contained in document S/2004/756. Members also have document S/2004/829, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it.

I should like to inform the Council that, in my capacity as President of the Council, I met this morning with the representatives of the parties, who confirmed to me that maintain their well-known positions vis-à-vis the item on the Council's agenda. On the basis of those meetings, as President and with the consent of the members of the Council, I draw the conclusion that the Council can proceed to take a decision on the draft resolution before it.

If I hear no objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1568 (2004).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Olsen (United States of America): The United States voted in favour of this resolution because it endorses the Secretary-General's recommendation for a 30 per cent force-level reduction, as well as his intention to conduct a further review of the mandate, force levels and concept of operations of the United Nations Peacekeeping Force in Cyprus (UNFICYP), continuing to take into account developments on the ground and the views of the parties prior to the next UNFICYP renewal. This resolution is an important first step in the ongoing examination of UNFICYP.

As we have noted, resources for peacekeeping operations are under strain as the demand for United Nations peacekeeping has risen significantly in recent years. Accordingly, we welcome the resolution's support for the Secretary-General's request for further voluntary contributions to UNFICYP from other countries and organizations.

We note in addition the Secretary-General's assessment that a recurrence of fighting in Cyprus is increasingly unlikely, with the emphasis of UNFICYP's activity moving towards liaison, observation and mediation rather than the deployment of forces to prevent the recurrence of fighting and maintain the status quo.

We also note that the Secretariat team that conducted the review of UNFICYP sought the views of the Greek Cypriot and Turkish Cypriot sides about the situation on the ground and the Secretary-General's observation that both sides, as well as the guarantor Powers, shared the view that under current conditions UNFICYP should remain in Cyprus beyond 15 December 2004.

My delegation would also like to take this opportunity to reaffirm our support for the Secretary-General's report on his mission of good offices in Cyprus (*S/2004/437*). We agree with the report that the way ahead to a settlement is for the Greek Cypriots to articulate with clarity and finality the concerns they have indicated regarding implementation of the settlement plan and its security provisions. We continue to support that report's assessment that Turkey and the Turkish Cypriots have done everything possible to reach a Cyprus settlement. We also appreciate Greece's support

for the Secretary-General's effort, including, specifically, for his final settlement plan.

We reaffirm our support for the Secretary-General's recommendation in paragraph 93 of the good offices mission report that, "not for the purpose of affording recognition or assisting succession", the Security Council should encourage all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development. We concur with the Secretary-General's assessment that such a move would be consistent with Security Council resolutions 541 (1983) and 550 (1984).

We regret that to date the Council has not endorsed the Secretary-General's report on his mission of good offices in Cyprus, and we look forward to Council action in that regard.

I would also note that it is the policy of the United States Government to ensure that members of the armed forces of the United States of America participating in United Nations peace operations are protected from criminal prosecution or other assertion of jurisdiction by the International Criminal Court, including through the possible inclusion of express provisions providing such protection.

Mr. Akram (Pakistan): Pakistan has voted in favour of the resolution, and the reasons for our support are the following. The resolution endorses the Secretary-General's recommendations for the amendment of the concept of operations and force level of United Nations Peacekeeping Force in Cyprus (UNFICYP). Secondly, the resolution decides to extend the mandate of UNFICYP in accordance with the recommendations of the Secretary-General and the wishes of all the parties concerned.

However, the resolution did not take stock of three important elements, which flow from the radically changed situation on the ground.

First, it fails to respond to the Secretary-General's good offices mission report (*S/2004/437*) issued in May 2004. That report called on the Council members to "give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development" (*ibid., para. 93*).

Secondly, it singles out a single resolution in operative paragraph 1, which, in view of the transformed situation on the island, is not necessary.

Thirdly, paragraph 43 of the Secretary-General's report (*S/2004/756*), on amendments in the concept of operations and the force level of UNFICYP, indicates that his review team has consulted with all relevant parties on the island, as well as the guarantor Powers, on the concept and proposal to extend the mandate of UNFICYP. That reality was not mentioned in the fourth preambular paragraph of the resolution.

I wish to reiterate our unreserved support for all multilateral and bilateral initiatives and endeavours seeking a final and comprehensive settlement of the Cyprus problem, a settlement that is based on consensus, justice and equity.

Mr. Denisov (Russian Federation) (*spoke in Russian*): The Russian Federation supported the adoption of the Security Council resolution extending the mandate of the United Nations Peacekeeping Force in Cyprus (UNFICYP) until 15 June 2004.

That operation continues to play an important role in maintaining stability and security on the island of Cyprus. We agreed with the recommendations of the Secretary-General regarding changes to the concept of operations and the force level, taking into account the fact that those changes reflect the situation in security terms on the island and will not harm the activities of the United Nations armed forces in carrying out their mandate.

The Russian Federation continued to help in a lasting settlement in Cyprus, in accordance with Security Council resolutions, in particular resolution 1251 (1999) and other decisions of the Security Council.

We agree on the importance of establishing a favourable environment for the renewal of the negotiation process, including through economic relations between the two Cypriot communities. In that regard, we must strictly observe the provisions of Security Council resolutions 541 (1983) and 550 (1984).

The President: I shall now make a statement in my capacity as the representative of the United Kingdom.

The United Kingdom welcomes the adoption of this resolution. The text rightly reflects the changing

situation on the ground, which is in no small part due to the work of the United Nations Peacekeeping Force in Cyprus (UNFICYP), as well as the offices of the Secretary-General and his good offices team. We also recognize the part played by the guarantor Powers and the parties on the island.

The resolution provides for the implementation of the Secretary-General's recommendations for the downsizing and reconfiguration of UNFICYP and also provides for a further comprehensive review before the next mandate. The resolution focuses only on the narrow issue of the future of UNFICYP. There is, of course, the wider question of the future of the settlement process. The Secretary-General has produced a good report, which the United Kingdom fully supports.

The Council will need to come back to the continuing search for a settlement, in the light of developments. We are disappointed that, having voted for a settlement in April, Turkish Cypriots have so far seen little benefit. We remain committed to ending the isolation of the Turkish Cypriots and to reducing the economic gap between the two communities. We believe this to be a key element of keeping alive the prospect of a reunification.

I now resume my function as President of the Council.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.30 p.m.